

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

BOBBY DUNCAN and MELISSA)	
DUNCAN, husband and wife,)	
)	
)	Case No. 2:12-cv-182
Plaintiffs,)	
)	Judge J. Ronnie Greer
)	Magistrate Judge Dennis Inman
MEDICAL EDUCATION ASSISTANCE)	
CORPORATION, et al.,)	
)	
)	
Defendants.)	

ORDER OF DISMISSAL AS TO
DR. PETER BOCKHORST, DR. MARK BRUMMEL, DR. DOUGLAS ROSE,
AND MEDICAL EDUCATION ASSISTANCE CORPORATION

As evidenced by the signature of counsel below, Plaintiffs request that the following Defendants be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(2): Dr. Peter Bockhorst, Dr. Mark Brummel, Dr. Douglas Rose¹, and Medical Education Assistance Corporation (MEAC). Dr. Bockhorst and Dr. Brummel shall be dismissed based on their absolute immunity as state employees under Tenn. Code Ann. § 9-8-307(h). The dismissal of MEAC is based on the absence of an agency relationship between MEAC and Dr. Bockhorst, Dr. Brummel, Dr. Erin Harris, Dr. Beth Anne Fox, and Dr. Joann D'Aprile-Lubrano. The underlying allegations of negligence against Dr. Bockhorst, Dr. Brummel, Dr. Rose and others, will be used as a basis of liability for Defendant Wellmont Health System d/b/a Holston Valley Medical Center. It is understood that the testimony of Dr. Bockhorst, Dr. Brummel and others

¹ Although Dr. Douglas Rose was named as a Defendant in the Complaint (Doc. 1), he was not named in the Amended Complaint (Doc. 11).

will be necessary and that they will make themselves available. IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that Defendants Dr. Peter Bockhorst, Dr. Mark Brummel, Dr. Douglas Jeffrey Rose, and MEAC are individually dismissed with prejudice from this action.

ENTERED this the 26th day of August, 2013.



J. RONNIE GREER
United States District Judge

APPROVED FOR ENTRY:

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